



Foreign Agricultural Service

GAIN Report

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Spain

Sanitary/Phytosanitary/Food Safety

Spain Reduces Testing Requirement on EU

Micotoxin Alerts on Imported Tree Nuts and Peanuts

2002

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Report Highlights: The lifting of mandatory testing in response to EU alerts on Microtoxins on U.S. tree nuts and peanuts will occur sooner as Spain has lowered the number of shipments that must undergo tests following the receipt of an EU alert by Spain.

Includes PSD changes: No
Includes Trade Matrix: No
Unscheduled Report
Madrid [SP1], SP

Executive Summary

The following is an update on the EU alert procedure for aflatoxin implemented by Spain

1. For some time we have been closely following the implementation in Spain of the current EU measures and alert system for controlling contaminants in imported foodstuffs as it affects the important trade of U.S. tree nuts and peanuts into Spain. We have also raised our concerns about the high numbers of subsequent shipments that must test negative for excessive micotoxin levels before the alert is lifted in Spain.
2. The Spanish Government has recently created a new Food Safety Agency, which is now part of the Ministry of Health and Consumption. The Agency will be responsible for all regulatory aspects (standards, risk assessment, requirements) concerning aflatoxin and other contaminants in foodstuffs. However, the implementation of the procedures will continue to be the responsibility of the Foreign Health Unit of the Ministry of Health and Consumption. However, there are also new personnel now running this Unit due to a change in Ministers several months ago.
3. As mentioned previously in other cables and reports, in the absence of an uniform implementation procedure set by Brussels, Spain was requiring that ten subsequent shipments landing at Spanish ports must test negative for excessive micotoxin levels to lift the alert. However, a recent EU legal report has made it clear that the minimum of ten negative results contemplated in the existing EU legislation should be for all shipments to the entire EU and not to a single member country as Spain was doing. Consequently, the new staff in the Ministry of Health has now decided not to wait until an EU uniform implementation procedure is in place and has lowered the *minimum* number of required subsequent negative tests for product landing at Spanish ports from ten to three. This internal decision has just been taken and we expect that it will be implemented as soon as administratively possible.
4. However, it is critical to repeat that the minimum number of subsequent tested shipments has been reduced but that in practice more shipments than the minimum could easily be tested in the case of high volume products such as almonds. The reason this is possible is that Ministry officials review the record of testing done in response to EU alerts on roughly a monthly basis. If there are the required minimum number of negative tests completed as of this monthly review then the product is removed from the alert system. In the case of almonds where there are large numbers of shipment there easily could be more than three shipments (or ten for that matter) in a month and they would be subject to testing. This chance from ten to three tests will make a much larger difference for other products such as raisins and pistachios which previously could have been under an alert for more than a year with a minimum of ten negative tests.